

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

LINDA LOUISE CULKIN,

Defendant.

Criminal Case No. 12-CR-10080-GAO

**GOVERNMENT’S MOTION FOR PERMISSION TO RESPOND TO MOTION FOR
DEFENSE ATTORNEY APPEARANCE AT EVALUATION OF DEFENDANT CULKIN
AND APPROVAL OF TRANSPORTATION COSTS UNDER THE CRIMINAL
JUSTICE ACT**

Although Defendant Culkin’s counsel has styled her MOTION FOR DEFENSE ATTORNEY APPEARANCE AT EVALUATION OF DEFENDANT CULKIN AND APPROVAL OF TRANSPORTATION COSTS UNDER THE CRIMINAL JUSTICE ACT as one that seeks permission to attend or to be on-site during Defendant Culkin’s psychological evaluation and a request for funds to accomplish this, her request is not merely a request for permission and funds. The United States understands from Bureau of Prisons staff that they would actively object to the presence of defense counsel during the psychological evaluation, on grounds that it would interfere with the evaluation.

The United States rarely objects to how CJA funds are spent. But the United States has an interest here to represent BOP’s position and to ensure that the psychological evaluation is effective so that the Court has all the information necessary to order a proper sentence.

Consequently, the United States moves for permission to respond to Defendant Culkin’s motion within the standard briefing schedule. The United States will respond earlier, if possible. But an earlier response could be difficult, given that the motion raises questions of a

constitutional dimension and the Assistant United States Attorney assigned to this matter has business travel previously scheduled for most of next week.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney
District of Massachusetts

By: /s/ Scott L. Garland
Scott L. Garland
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify I am causing this document to be filed through the ECF system, and therefore they will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Scott L. Garland
Scott L. Garland
Assistant United States Attorney

Date: June 17, 2014